

# HIV patient charged; allegedly tried to infect woman

SAT APR 13 1991

By Harry Harris  
Tribune staff writer

In what may be a landmark case, an Oakland man with the AIDS virus, who police said boasted he would "take all the women with him he could," was charged yesterday with assault with a deadly weapon after having sex with a woman. CRIME?

The case against William Lucas Barker, 25, is the first of its kind in

Alameda County and perhaps in the state, officials said.

Barker set out to "ritually infect future sex partners out of spite," Assistant District Attorney Robert Chambers said.

What Barker is accused of "cries out for some redress," Chambers said. "If this individual's conduct is not criminal we want a court to tell us."

Deputy District Attorney John

Adams said Barker had a "pretty reprehensible attitude."

Barker was arrested April 9 in a downtown Oakland motel room after having consensual sex at least four times over several days with a 22-year-old woman who police said was a casual acquaintance.

Sgt. Sue Hoffman said Barker had not told the woman he was infected with the AIDS virus.

When the woman was told, she

became hysterical and tried to attack Barker, Hoffman said. The woman is now under a doctor's care, police said.

Police said Barker was diagnosed with the AIDS virus while in state prison. How he contracted the virus was not immediately known.

Barker was released from prison Jan. 26 after serving a term for

See MAN, Back Page

*Continued from Page A-1*

parole violation. He earlier had spent time in prison for burglary, authorities said.

Police said prison officials were aware Barker had the AIDS virus. A parole official received information that Barker had boasted that once he was released he would "take all the women I can with me before I die."

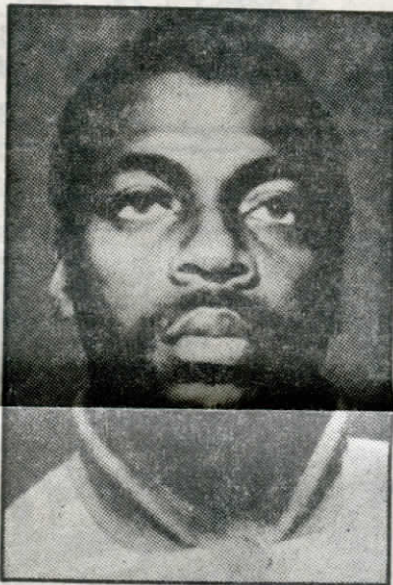
Earlier this week parole officials learned Barker was with the woman in the motel and along with police raided the room.

Hoffman said Barker has not given a statement to police. Barker is represented by the Public Defender's Office, which declined to make a statement yesterday.

Hoffman said last April, Barker, who already was infected with the virus, was arrested for allegedly raping an 18-year-old woman. But the woman refused to cooperate with police and Barker was never charged.

Hoffman said police are trying to contact the woman to see if she now will change her mind about prosecuting Barker.

Last year Oakland vice officers arrested a prostitute on similar charges. The woman was



**William Lucas Barker**  
*Arrested in police raid*

quoted in a magazine article saying she continued to walk the streets after being diagnosed with the AIDS virus.

She later said she had made up the claim in return for a \$60 payment from a magazine photographer.

The district attorney's office did not prosecute the woman because they couldn't confirm the diagnosis or find victims willing to come forward.

# Fear of publicity may sink AIDS assault case

By Harry Harris  
Tribune staff writer

CRIME

A victim's fear of public exposure could prove groundless with the dismissal of charges against the man accused of deliberately trying to infect her with the AIDS virus.

The 22-year-old woman has told Oakland police she doesn't want to testify publicly against William Lucas Barker, 25, who was arrested in a motel room with her April 9.

The charges against Barker may have to be dropped if the woman decides not to testify against him at trial, said Senior Deputy District Attorney M.J. Tocci.

"Ultimately we need her to have the case," said Tocci. The prosecutor said she could try to keep the woman's name secret until the trial. If the victim still balked, prosecutors would try

everything possible to convince her to testify, Tocci said.

Lt. Craig Stewart said yesterday the woman does not want criminal charges dropped against the man who may have infected her, but she is is afraid her name might be made public if she testifies in a court with reporters present.

Her name has not been made public and police said they will not release it.

"She is acutely embarrassed by what occurred, and the idea that people who know her would find out would be traumatic to her," Stewart said.

The current issue of Newsweek magazine noted the woman's reluctance to testify in a story on the national debate over the competing rights of privacy for sex crime victims and the

See VICTIM'S Back Page



right of the accused to a fair trial. That debate has sharpened since the naming of the victim in an alleged rape at the Florida beach home of the family of Sen. Edward Kennedy.

Stewart said the Oakland victim's name should be irrelevant, since it is Barker's actions that are the focus of the case.

"If it wasn't for the Kennedy case no one would care. It's a legitimate fear," he said.

Barker, an ex-convict who has had the AIDS virus at least a year, had boasted he "would take all the women with him he could" before dying, police said.

He did not tell the woman he had the AIDS virus and she consented to having sex with Barker.

Since the sex acts were consensual, Barker is not charged with rape. He is charged with four counts of assault with a deadly weapon, one for each time he and the woman had intercourse over a period of several days.

Tocci, who will prosecute the case at the Municipal Court level, said her office "is tremendously concerned with maintaining (the woman's) anonymity as long as is reasonable.

"But we would be doing her a great disservice if we promise and we can't follow through."

Tocci said there are several possibilities for avoiding having the woman's name known before trial.

One is seeking a grand jury indictment. If the grand jury indicts, the case would go directly to Superior Court and there would be no Municipal Court preliminary examination.

Or, either prosecutors or defense attorneys could make a motion to the Municipal Court judge to close the preliminary examination to the press and public. Current law provides for closures, but such motions face

largely successful challenges from attorneys for the media.

Also, under provisions of the recent voter-enacted Proposition 115, the so-called "Victims Bill of Rights," the case investigator could introduce the woman's statement into the court record at the preliminary examination without having the woman testify. However, that does not exempt her from testifying in Superior Court.

Finally, both prosecutors and defense attorneys could agree not to use the woman's name at either the Municipal Court or Superior Court level. That would not stop news organizations from using the name if they obtained it.

Tocci said it has been her experience that the press honors requests by prosecutors not to use victims' names.

"But that's relying on the good faith of the press," she said.

Attorney Mary Jo Schafer, who represents Barker, said she has not decided what her position is on using the woman's name in open court.

She is worried about the woman's privacy but her main concern is Barker's rights.

"This whole thing about rape victims' names or other victims' names: If you don't use their names, why use the defendant's name?" Schafer asked.

Schafer said Barker's family has been stigmatized by the publication of his name, "but that doesn't mean I want to make it rough for the lady."

"Everybody's been tainted by this, the woman, my client's family — the things said about this person they know and love."

Schafer said she will have a better idea of her strategy in the case after she talks to Barker today and finds out his feelings.

Until then, she is not sure. "I don't want to be hard-nosed and just say throw her name out," Schafer said.

# HIV inmate denies he tried to infect woman

MON APR 29 1991

By Nancy Zubin  
Tribune staff writer

William Lucas Barker, charged with assault with a deadly weapon for allegedly trying to infect a woman with the AIDS virus, yesterday denied reports that he threatened "to take all the women I can with me before I die."

"I never said that," said Barker, 25, in an interview at Santa Rita County Jail. "I love women dearly. There's no way I would come out and do anything to harm them."

Barker was arrested April 9 in a downtown Oakland motel room after having consensual sex at least four times with a 22-year-old woman he knew. Before the motel room raid, a parole officer said she was told by an anonymous source that Barker, angry that he had AIDS, boasted

while in prison that he would attempt to infect as many women as he could when he got out. Barker was released Jan. 26 after serving time for a parole violation.

Police, who said Barker was diagnosed with the AIDS virus while in state prison, have charged him with assault with a deadly weapon.

Sitting behind a glass window in his yellow inmate's jumpsuit, Barker said it is not certain he is infected with the deadly virus. He said he was tested for AIDS more than once, but the results were inconclusive.

Barker said yesterday he never claimed he would carry out "genocide" against women by

See HIV, Back Page

Sex crimes and privacy, D-6



Continued from Page A-1

exposing them to AIDS.

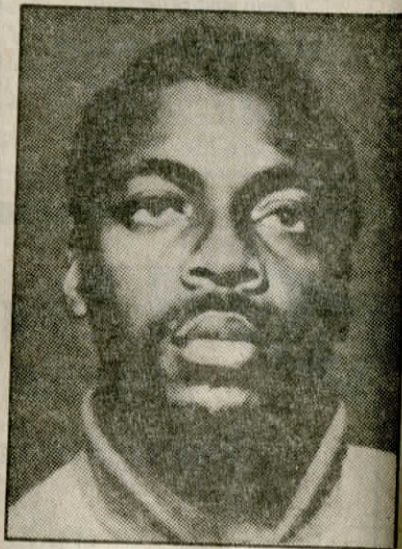
"I don't have that kind of animosity built up inside me," he said.

While an increasing number of states now have laws that make it a crime to knowingly expose another person to the deadly virus, the case against Barker is the first of its kind in Alameda County.

Barker contends he is being singled out as an example by local police and the court system.

"With me being black, on parole and possibly having the HIV virus, they took it upon themselves to destroy my life by slandering my name and invading my privacy," he said.

The charges against Barker, who is scheduled to appear in court again Wednesday, come at a time when the number of AIDS-related prosecutions nationwide is growing, according to Lawrence Gostin, a Harvard



**William Barker**  
*'Loves women dearly'*

University professor and director of the AIDS Litigation Project of the U.S. Public Health Service. Yet convictions have been rare.

# with assault denies threat

"It is enormously problematical to try to reach into the bedroom and create a criminal prosecution around it, and the only ones who have been successful in doing that are the military," Gostin said in a news report published last October.

"If your intention is to kill somebody else, having sex with them is a highly indirect modus operandi," Gostin said, adding that most AIDS-related cases involve biting, spitting or splashing blood rather than intercourse. Gostin said in October he did not know of any such cases in which HIV was transmitted through intercourse.

This is not the first time the Oakland police department has pursued such a case. Last year, attempted murder charges were sought against an Oakland prostitute after she was quoted in a magazine article saying she continued to walk the streets after being diagnosed with the AIDS

virus. The charges were dropped for lack of evidence and she later said she made up the claim to get \$60 from a magazine photographer.

Because of the circumstances of his case, Barker said he twice asked to be put in protective custody as soon as he arrived at Santa Rita, but his requests were refused. While he shared a cell with another inmate, Barker received a cut to the throat.

Pointing to the scar near his Adam's apple, Barker claimed that his cellmate attacked him with a razor while he was in a defenseless position on the toilet. He believes the attack was prompted by the notoriety of his case.

Investigators have not determined exactly how Barker was cut and found no weapon, said Sgt. Jim Knudsen of the Alameda County Sheriff's office. The cellmate claimed Barker cut himself and then splattered him

with blood.

Because of the conflicting statements and lack of witnesses, the county D.A.'s office will not press charges, Knudsen said. Since the incident, Barker has been isolated from other prisoners at all times.

Barker previously spent time in prison for burglary, authorities said.

Prosecution of Barker's case hinges on testimony by the woman in the motel with Barker when he was arrested. The woman in the Barker case has expressed reluctance to testify, after the public attention focused on a Palm Beach woman who charged she was raped on the grounds of the Kennedy compound and whose name was published in national newspapers.

Barker, who said he was aware of the national controversy about the issue, said he was undecided as to whether the name of his "lady friend" should be made public.



# HIV inmate indicted on sex-rela

THU MAY 2 1991

By Will Jones  
Tribune staff writer

CRIME

An ex-convict infected with the deadly AIDS virus who allegedly boasted he would spread the disease to others was indicted yesterday on charges of assault with a deadly weapon for having unprotected sex with two women.

William Lucas Barker, 25, was indicted by the Alameda County grand jury after both victims testified before the panel, according to Senior Deputy District Attorney Stacy Walthall, legal adviser to the jury.

The identity of one victim, a 22-year-old woman who was reluctant to testify because her name might become public, was not revealed to the grand jury.

The indictment also accuses Barker

of kidnapping, rape, forced oral copulation and sodomy in assaulting the other woman last year.

Presiding Superior Court Judge Demetrios Agretelis, who received the indictment, increased Barker's bail from \$50,000 to \$200,000. He will be arraigned later on the charges in Superior Court.

Barker initially was charged only with assault with a deadly weapon because he had consensual sex with the 22-year-old woman at a downtown Oakland motel last month without telling her that he was infected with the AIDS virus.

The charges involving the second woman were added after the victim agreed to testify against Barker before

the grand jury, according to Walthall.

The second woman, a former prostitute who was 18 at the time, was allegedly kidnapped by Barker at 16th Street and Martin Luther King Jr. Way on April 15, 1990.

She was reportedly taken to a house Barker shared with his father where the sexual assault occurred.

The alleged attack was reported to police, but Barker was not charged then because the woman refused to cooperate with investigators.

But police investigating the assault of the 22-year-old woman contacted the alleged rape victim, who then agreed to testify against Barker.

Barker was diagnosed as having the AIDS virus while serving a state prison

# ated assault charges

term for a parole violation stemming from a burglary conviction. He was placed on parole again last Jan. 26.

He was arrested last April 9 after his parole officer received information that he had bragged that when he was released from prison he would "take all the women I can with me before I die."

Barker has denied that he threatened to spread the virus to his sexual partners.

"I never said that," he said in an interview with the Oakland Tribune from his jail cell last Sunday. "I love women dearly. There is no way I would come out and do anything to harm them."

He added that it isn't certain that he has the virus, claiming that several tests

were inconclusive.

Although the grand jury was told the name of the 18-year-old woman who was allegedly raped, the 22-year-old woman who consented to sex was identified before the group as "Jane Doe."

Walthall said he used a pseudonym to keep her name off public documents so her identity will be protected as long as possible.

The woman has told investigators that she is so embarrassed about the incident and fearful of public exposure that she was reluctant to testify in public.

Barker's case was taken to the grand jury, whose proceedings are closed to the public, to avoid having the woman testify at a public preliminary hearing in Municipal Court.



# Suspect in HIV *AIDS CRIME* assault case enters *TUE MAY 7 1991* not guilty plea

**By Will Jones**  
*Tribune staff writer*

A man infected with the AIDS virus pleaded innocent yesterday to charges of intentionally trying to pass the deadly disease along to two women.

William Lucas Barker, 25, entered a not guilty plea during a brief arraignment before Alameda County Superior Court Judge Larry L. Goodman.

The judge ordered Barker to return to court in Oakland on May 22 for disposition of the case, or to set a date for a trial.

Barker, who has served time in state prison for burglary and parole violation, was first diagnosed by prison officials as having the virus in 1987.

But Barker, who is being held at the county jail on \$200,000 bail, has denied intentionally trying to spread the disease. He claimed that AIDS tests for him have been inconclusive.

Barker was indicted by the grand jury last Wednesday on seven counts, including three counts of assault with a deadly weapon for allegedly having sexual intercourse with a 22-year-old woman and an 18-year-old former prostitute without telling either one of them that he had the AIDS virus.

Barker also is charged with kidnapping, rape, forced oral copulation and sodomy in con-

*See BARKER, Page A-4*

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on the 18-year-old woman last  
year.

Barker was arrested after he allegedly boasted that he would "take all the women I can with me before I die" from the AIDS virus.

He was taken into custody last month at a downtown Oakland motel where he allegedly had consensual, but unprotected, sex with the 22-year-old, which resulted in two of the assault with deadly weapon charges.

Barker allegedly kidnapped the 18-year-old woman from an Oakland street on April 15, 1990 and raped her at a home he shared with his father.

Officials said it is not known if either one of the victims have tested positive for the AIDS virus, but Deputy District Attorney Jack Quatman said Barker still could be found guilty of assault with a deadly weapon even if the women never contract the AIDS virus.

"It's the same as shooting at someone with a gun. Even if you miss, you can still be charged with assault with a deadly weapon," Quatman said outside of court.



**William Lucas Barker**  
*Accused of spreading HIV*

The prosecutor, who handled the arraignment of Barker, said the case is "unique" because Barker deliberately went out to "distribute (the AIDS virus) to others."

Quatman said he believes Barker's case is the first in California in which someone has been charged with assault for allegedly trying to infect another person with the AIDS virus.



## Ex-con demands quick trial on AIDS charge

THU MAY 23 1991  
An ex-convict who has been diagnosed as having the **AIDS** virus has demanded an immediate trial on charges that he intentionally tried to spread the deadly disease to two women. **CRIME**

William Lucas Barker yesterday refused to waive his rights to have his trial start within 60 days after he is arraigned on the charges in Alameda County Superior Court, according to his attorney, Mary Jo Schafer.

Judge Larry J. Goodman ordered Barker, 25, to return to court on June 7 when trial Judge William R. McGuinness will set a trial date before July 6. He also will appear before Goodman on June 14 for a pretrial motion.

He was arraigned on May 6 on three counts of assault with a deadly weapon for allegedly having unprotected sex with a 22-year-old woman twice and an 18-year-old former prostitute once.

Barker, who is being held on \$200,000 bail, has pleaded innocent to the charges.

# Parole revoked after alleged AIDS assaults

**AIDS CRIME** WED MAY 29 1991  
By Tribune news services

An Oakland ex-convict accused of three counts of assault with a deadly weapon for allegedly trying to infect two women with the AIDS virus had his parole revoked yesterday by the state Board of Prison Terms.

Board of Prison Terms spokeswoman Phyllis Scott said that at a hearing at the Alameda County Jail in Dublin, where William Lucas Barker is currently in custody, the board found good cause to revoke Barker's parole from a previous burglary conviction.

Scott said the board voted to keep Barker in custody on the one-year maximum because of the new assault allegations against him.

Barker, 25, is accused of two counts of assault with a deadly weapon for allegedly trying to

infect a 22-year-old Oakland woman with the AIDS virus during consensual sexual encounters in an Oakland motel room last month.

Barker is also accused of one count of assault with a deadly weapon, as well as kidnapping, rape, sodomy and forced oral copulation for the alleged sexual assault of an 18-year-old Oakland prostitute on April 15, 1990.

Barker learned he had AIDS about four years ago while he was serving a state prison term for the burglary conviction.

Parole officials and Oakland police allege that following his release from custody after serving time for a previous parole violation, Barker boasted to friends that before he dies he would infect as many women with the AIDS virus as he could.

According to prosecutor Stacy

Walthall, Barker could face more than 20 years in state prison if he is convicted of the current charges against him.

Walthall said the practical effect of today's revocation of Barker's parole is that it makes irrelevant Barker's refusal to waive his right to a trial within 60 days of the date of his arraignment on the current charges.

There are potential problems in beginning Barker's trial before the 60-day deadline expires July 6, partly because of conflicts in the schedule of his attorney, Mary Jo Schafer.

Walthall said that because of yesterday's parole revocation, authorities can keep Barker in custody and try him at a later date even if they don't meet the July 6 deadline.

Schafer could not be reached for comment.



# Change of lawyers in ex-convict's AIDS assault case

THU JUN 6 - 1991  
*By Tribune Staff*

The Alameda County Public Defender's office has replaced a private attorney in representing an ex-convict accused of intentionally attempting to pass along the AIDS virus to two women. **CRIME**

Assistant Public Defender Charles Denton will represent William Lucas Barker, who is charged with assault with a deadly weapon for allegedly having unprotected sex with a 22-year-old woman and an 18-year-old former prostitute.

Oakland attorney Mary Jo Schafer, who had been representing Barker without pay, withdrew from the case because Barker refused to waive time for the start of his trial.

Schafer said she needed more time to prepare a defense for Barker and said a trial now would interfere with a previously planned family obligation. She said Barker refused to waive time for his trial.

Barker, who has been diagnosed by state prison officials as having the AIDS virus, reportedly had consensual sex with a 22-year-old woman and allegedly raped a former 18-year-old prostitute.

He is scheduled to appear before Alameda County Superior Court Judge William McGuinness tomorrow for a trial date.

SAT JUN - 8 1991

**Psychiatric tests ordered in HIV assault case**

An Oakland man accused of purposely trying to infect women with the **AIDS** virus was ordered yesterday to be examined by two psychologists to see if he is mentally competent to stand trial.

The order came in response to a request by an attorney for the man, 25-year-old William Lucas Barker. Barker, an ex-convict, will return to Alameda County Superior Court on June 28. If he is found to be mentally fit enough to stand trial, a trial date will be set at that time.

Barker is accused of two counts of assault with a deadly weapon for allegedly trying to infect a 22-year-old Oakland woman with the AIDS virus during consensual sexual encounters in an Oakland motel room in April. He is also accused of one count of assault with a deadly weapon, as well as kidnapping, rape, sodomy and forced oral copulation for allegedly sexually assaulting an 18-year-old Oakland prostitute on April 15, 1990.



# Lawyers opt for odd HIV defense in Barker case

SAT JUL 27 1991

**AIDS CRIME**

By Tribune news services

Lawyers representing an Oakland man accused of sexual assault after threatening to infect women with HIV said yesterday that they will present a scientific defense claiming that HIV does not necessarily cause AIDS.

Their client, William Lucas Barker, a 25-year-old ex-convict, is accused of two counts of assault with a deadly weapon for allegedly trying to infect two women with AIDS.

But Barker's new attorneys,

Robert Cross and Harold Perry, said they will bring in expert witnesses who will testify that HIV does not automatically cause AIDS.

Authorities claim that Barker has HIV and base the assault charges against him on their belief that he was trying to infect the two women with AIDS when he had sex with them.

But Perry said if the defense can prove that HIV does not cause AIDS, the charges against Barker would not be justified.

# Offbeat HIV theory cited as defense

SAT AUG 24 1991

By Harry Harris  
Tribune staff writer

Attorneys for a man accused of deliberately attempting to spread AIDS have put forward a novel defense, arguing that HIV may not be the cause of the fatal disease.

But an Alameda County Superior Court judge ruled yesterday that although the defense's contention is interesting, it is not strong enough to compel him to drop the charges against defendant William Lucas Barker.

"Bring in the experts and let them battle it out," said Judge Larry Goodman.

Barker, a 25-year-old ex-convict, is charged with three counts of assault with a deadly weapon for trying to infect two women with the human immunodeficiency virus by having sex with them. Authorities won't say if the women, who were not told by Barker of his health problem, have contracted the virus.

Barker's attorneys, Harold Perry and Robert Cross, argued that charges against him should be dropped because there is no firm evidence that the HIV Barker has is infectious or causes

See HIV, Back Page

AIDS.

They cited a hotly disputed theory by a University of California at Berkeley professor who contends HIV is not infectious and cannot be spread by sex.

Perry said the charges against Barker are not based on scientific fact and that Barker's body "does not represent a deadly weapon."

A prison doctor told the grand jury that indicted Barker that he had "full-blown AIDS symptoms."

But Perry, pointing to his shackled client, denied that contention, adding that Barker "is sitting here looking as healthy as anyone else."

Prosecutors said medical tests by state prison officials found Barker to have the virus and that studies show it does cause AIDS.

Barker also is charged with kidnapping, rape, sodomy and forced oral copulation in connection with one of the reported assaults.

After the hearing, Perry and Cross told reporters they hoped to bring in specialists to support their case if they can find the funds to do so.

"The district attorney has all the money. We don't," Cross said.

Assistant District Attorney Stacey Walthall said the entire medical system "has adopted the theory that if someone is HIV-positive, they are going to develop AIDS and are probably going to die."

Barker's attorneys are basing his defense on the work of Peter

Duesberg of UC-Berkeley.

Duesberg contends that AIDS is a collection of many diseases, none of which are caused by HIV.

His theory rests on several contentions, including an argument that HIV is found in only one of every 500 T-cells in people with AIDS. He says the mainstream explanation doesn't explain why HIV causes AIDS as long as 10 years after infection.

But almost all mainstream researchers say the link between HIV and AIDS is much more than a coincidence, although the mechanism that leads from one to the other is still not understood.

Robert Gallo, a senior AIDS researcher at the National Cancer Institute in Bethesda, Md., co-wrote a 1988 article defending the hypothesis that HIV causes AIDS.

"In summary, although many questions remain about HIV and AIDS, a huge and continuously growing body of scientific evidence shows HIV causes AIDS," Gallo wrote.

Duesberg is a well-regarded specialist on tumor-causing viruses, but critics argue that he is not an AIDS virologist.

Harold Jaffee, a researcher at the Centers for Disease Control, called Duesberg a "flat-Earther bogged down in molecular minutiae." The National Institutes of Health has recommended Duesberg no longer be funded for research.

Many leading AIDS researchers fear that publicizing Duesberg's theories could undo years of AIDS prevention education.

— Tribune wire services contributed to this report.



## Professor, attorney clear up points on legal defense

Your Aug. 24 article correctly pointed out that our legal defense of William Lucas Barker is also a direct challenge of the AIDS orthodoxy. However, we have not argued that HIV is not infectious. Instead, we have argued that AIDS is not infectious, and is therefore not transmissible by sexual contacts. Consequently, we argue there is currently no scientific basis on which to charge Barker with "assault with a deadly weapon" for having antibodies that neutralize HIV and for having sex with two women.

The hypothesis that HIV causes AIDS was advanced by Robert Gallo in 1984 based on work that has recently been charged to be fraudulent by an investigation of the National Institutes of Health. According to a recent interview, the French discoverer of HIV, Luc Montagnier, now considers HIV a "benign" virus that cannot cause AIDS by itself. However, nothing shows the ap-

parent failure of Gallo's virus-AIDS hypothesis better than its results; in seven years it has yet to save a single life, to produce a vaccine or a medicine that does not severely poison people as does AZT, to explain why heterosexuals who don't use drugs don't get AIDS, or to come up with a successful prevention strategy against AIDS — and all this at an annual cost to the taxpayer of \$3 billion.

We will present epidemiological and virological arguments that the majority of AIDS cases in the U.S. are acquired by the long-term consumption of psychoactive drugs, and in a growing number of cases from use of prescribed drugs like AZT. AZT is a chain terminator of DNA synthesis (DNA is the central molecule of life) and was originally developed to kill growing cells in cancer patients. The remaining American AIDS cases reflect the natural background of diseases resulting from con-

genital or acquired clinical deficiencies, such as hemophilia, reclassified under a new name.

Our hypothesis resolves all riddles of the popular but unproductive virus-AIDS hypothesis. For example, it explains why, among the 1 million Americans that are infected by HIV, only those with abnormal health risks get AIDS, including intravenous drug users, homosexuals using stimulants and aphrodisiacs, and hemophiliacs. Most importantly, our hypothesis offers a simple and effective prevention strategy, based on modification of drug use habits, and provides a rational basis for therapy — and hopefully will provide justice for William Lucas Barker.

**PETER DUESBERG**

Professor of Molecular & Cell  
Biology  
UC-Berkeley

**Atty. HAROLD PERRY**

Oakland

# More charges for HIV-sex assault suspect

MON NOV 4 - 1991

By Will Jones  
Tribune staff writer

A man awaiting trial on charges of intentionally trying to infect two women with the AIDS virus has been indicted for allegedly sexually assaulting a third victim.

The Alameda County grand jury indicted William Lucas Barker on two counts of rape and one count of assault with a deadly weapon — the AIDS virus — involving a 24-year-old woman two years ago.

Barker, 25, who allegedly boasted that he would spread the disease, is accused of raping the woman in his car near his father's West Oakland home on Dec. 11, 1989.

He met the woman, who was a drug user at the time, on a West Oakland street and offered to feed her and give her a place to stay, according to Stacy Walthall, senior deputy district attorney and adviser to the grand jury.

Barker, however, assaulted the victim twice during the night, Walthall said.

He was identified as a suspect immediately after the incident, but Oakland police were unable to locate the woman during their follow-up investigation because they did not have a valid address for her.

But after Barker was indicted for allegedly assaulting the other women, police reopened the case and located the woman who

agreed to testify before the grand jury, which indicted him late last month.

Barker is already facing trial in Superior Court on charges of having unprotected consensual sex with a 22-year-old woman in an Oakland hotel last April and with raping and sexually assaulting an 18-year-old former prostitute on April 15, 1990.

He was diagnosed with the AIDS virus in 1987 while serving time in state prison for burglary and parole violation.

He reportedly bragged that once he was released from prison he would infect as many women as he could before he died.

Barker has denied making the statement.



# Man with HIV guilty of assault with his virus

By Will Jones  
Tribune staff writer

*AIDS  
CRIME*

An Oakland ex-convict who was accused of intentionally trying to infect three women with the AIDS virus has struck a deal that will send him to state prison for three years.

William Lucas Barker pleaded no contest yesterday to one count of assault with a deadly weapon against just one of the victims and was automatically found guilty by Alameda County Superior Court Judge Larry J. Goodman.

The assault charge stemmed from Barker having unprotected consensual sex with a 22-year-old woman in an Oakland hotel last April without informing her he had the AIDS virus.

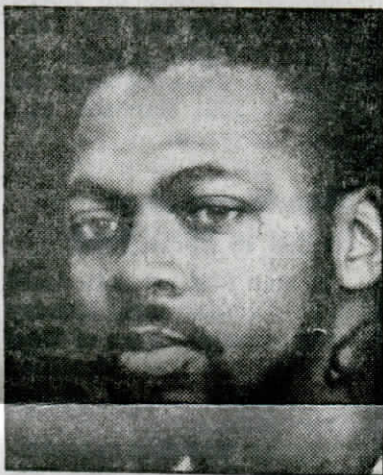
Under the plea bargain, the district attorney's office dropped two other counts of assault with a deadly weapon involving the same woman and charges that Barker sexually assaulted the two other women.

Deputy District Attorney Nancy O'Malley said her office accepted the plea bargain because the 22-year-old victim didn't want to testify in court in public.

All three women were told about the deal and accepted it, the prosecutor said.

Barker will be sentenced by Judge Goodman on April 24.

The other women he was accused of attacking were an 18-year-old former prostitute on



**William Lucas Barker**  
*Agrees to plea bargain*

April 15, 1990, and a 24-year-old woman he had befriended and allowed to sleep in his car on a West Oakland street on Dec. 11, 1989.

Barker was first diagnosed by state prison officials as having the AIDS virus in 1987 while serving time for burglary and parole violation.

After he was released again on parole in January 1991, he allegedly boasted that he would "take all the women I can with me before I die."

Barker later denied that he threatened to spread the virus and claimed that several tests for the disease were inconclusive.



# 3-year sentence for assault with d

By Will Jones  
Tribune staff writer

SAT APR 25 1992  
*crime*

In the first case of its kind in the state, an Oakland man with the AIDS virus was sentenced to prison yesterday for intentionally trying to spread the disease to a woman.

William Lucas Barker, 25, was sent to state prison for three years by Alameda County Superior Court Judge Larry J. Goodman.

Deputy District Attorney Nancy O'Malley said Barker was the first man in the state to be convicted of assault with a deadly weapon — the AIDS virus — for having unprotected sex with his partner.

She noted that a Ventura County man is facing similar charges for living with a woman for several years and impregnating her without informing her he was infected with the virus.

O'Malley said both the mother and the baby test positive for HIV, the virus which causes AIDS.

She also noted that a bill is pending in the state Legislature that would make it a felony for people who know they have the AIDS virus to have unprotected sex with unsuspecting partners.

Barker pleaded no contest to one count of assault with a deadly weapon on March 13 and was automatically found

# Deadly weapon: AIDS

guilty by Goodman.

In return for Barker's plea, the district attorney's office agreed to a three-year prison sentence and dropped several other charges against Barker.

He was convicted for having unprotected, consensual sex with a 22-year-old woman in an Oakland hotel last April without telling her he had the virus.

*See BARKER, Page A-10*



William Barker was convicted for having unprotected, consensual sex with a woman without telling her he had the HIV virus.

Barker originally was charged with three counts of assault on the woman and sexually assaulting two other women.

But the additional charges were dismissed by the judge at the request of the district attorney's office.

O'Malley said her office accepted the plea bargain to spare the victims from the ordeal of having to testify in a public courtroom.

Barker first was diagnosed as having the virus while serving time in prison in 1987 for burglary and violating parole.

He was paroled in January 1991 and allegedly boasted that he would spread the disease to as many women as possible before he died.

Barker later denied making the threat and has contended that several tests for the disease were inconclusive.